

\* \* C O N F I D E N T I A L \* \*  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JENNIFER FISCHMAN,

Plaintiff,

-against-

Index No.  
18-cv-08188

MITSUBISHI CHEMICAL HOLDINGS AMERICA, INC.,  
MITSUBISHI CHEMICAL CORPORATION,  
MITSUBISHI CHEMICAL HOLDINGS CORPORATION,  
NICHOLAS OLIVA, in his individual and  
professional capacities; DONNA COSTA,  
in her individual and professional  
capacities; and JOHN DOES 1-10, in  
their individual and professional  
capacities,

Defendants.

-----x

55 Maple Avenue  
Rockville Centre, New York

July 15, 2021  
10:06 a.m.

DEPOSITION of NICHOLAS OLIVA, taken by  
the attorneys for the Plaintiff, pursuant to  
Notice, held before Bonnie Kreuzburg, a Notary  
Public of the State of New York, at the  
above-stated time and place.

1 N. J. Oliva - CONFIDENTIAL

2 that decision?

3 MS. COLWIN: Objection.

4 A. In what decision?

5 Q. In the decision to reassign

6 Ms. Fischman.

7 MS. COLWIN: Objection.

8 A. I don't know.

9 Q. I'm sorry?

10 A. I don't know.

11 Q. You don't know. Okay. I didn't hear

12 your response. I'm sorry. Okay. Moving on.

13 Is it correct that, immediately upon

14 your being rehired by the company, Ms. Fischman

15 was assigned to report to you as a supervisor?

16 MS. COLWIN: Objection.

17 A. Ms. Fischman reported to me on my

18 arrival, yes.

19 Q. And you were her supervisor, correct?

20 A. Yes.

21 Q. I'm referring now to paragraph 76 of

22 the First Amended Complaint, if you could just

23 turn to that.

24 Do you see on the second sentence of

25 paragraph 16, there's an allegation that on March

1 N. J. Oliva - CONFIDENTIAL

2 1st, 2016, Ms. Fischman complained to Mr. Oliva  
3 that one of the company's female employees was  
4 denied a severance package while her male  
5 colleague had been offered a severance package  
6 under very similar circumstances.

7 Do you see that allegation?

8 A. I do.

9 Q. Did you have an interaction with  
10 Ms. Fischman on March 1, 2016?

11 A. I do not remember.

12 Q. Did Ms. Fischman ever complain to you  
13 about a female employee being denied a severance  
14 package?

15 A. Not that I recall. I recall Jennifer  
16 being upset that an affiliate was overpaying in  
17 their severance packages.

18 Q. Can you help me place that in time,  
19 temporally?

20 A. I don't recall.

21 Q. Do you know who they were overpaying,  
22 according to Ms. Fischman?

23 A. Basically, everyone.

24 So that company had a series of  
25 reductions. They went from having a plant that